

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4509 OF 2006

Darshana Kamalakar Chavan & Anr. ...Petitioners.

V/s.

The State of Maharashtra & Ors. ...Respondents.

Shri.R.K. Mendadkar for the petitioners.

Shri.C.R. Sonawane AGP for respondent No.1.

**CORAM : DR.S. RADHAKRISHNAN &
V.M. KANADE, JJ.**

DATED : 19/08/2006

P.C.:-

1. Heard the learned counsel for the petitioners and the learned AGP for respondent No.1.

2. Rule. Rule is made returnable forthwith. By consent writ petition is taken up for final hearing.

3. By this petition petitioners are challenging the order dated 13th February, 2006 whereby Scheduled Caste Scrutiny Committee had invalidated caste claim of the petitioners.

4. We have perused the impugned order. In paragraph-2 of the said order, there is a mention that the applicants had furnished 44 documents in support of

their claim. However, impugned order does not indicate that any of the aforesaid 44 documents were considered by the said committee.

5. On this limited ground, the impugned order dated 13th February, 2006 is quashed and set aside and the matter is remanded back to the said Committee for an afresh hearing. We make it clear that said Committee shall deal with each one of the documents properly and pass a reasoned order after affording an opportunity of personal hearing to the petitioners. Petitioners shall appear before the said Committee on 12th September, 2006 at 11.00 a.m. so as to enable the said Committee to fix schedule of hearing. Said Committee shall expeditiously dispose of the said claim preferably within a period of four months. The period of four months shall be from 12th September, 2006.

6. Rule is accordingly made absolute.

(DR.S. RADHAKRISHNAN, J.)

(V.M. KANADE, J.)

